

C O U N C I L   C O M M U N I C A T I O N

TO:        THE CITY COUNCIL

COUNCIL MEETING DATE:   JULY 11, 1990

FROM:      THE CITY MANAGER'S OFFICE


SUBJECT:   KETTLEMAN PROPERTIES REORGANIZATION

INDICATED ACTION:    Consider adopting the Resolution approving the Kettleman Properties Reorganization which annexes an approximate 52.7 acres at the northeast corner of Beckman Road and East Kettleman Lane to the City and withdraws the area from the Woodbridge Rural Fire Protection District.

BACKGROUND INFORMATION:    The City Council, upon the recommendation of the Planning Commission, previously certified an E.I.R. for the project and amended the General Plan and pretoned the area.

The owners have signed the necessary agreement concerning City utility services and the payment of future municipal impact fees.

Kettleman Properties conforms to the Annexation Policy adopted by the City Council earlier this year.

  
JAMES B. SCHROEDER  
Community Development Director

RESOLUTION NO. 90-106

A RESOLUTION OF THE LODI CITY COUNCIL  
ORDERING THE KETTLEMAN PROPERTIES REORGANIZATION (LAFC 10-90)  
WITHOUT NOTICE AND HEARING, INCLUDING ANNEXATION TO THE CITY OF LODI,  
AND DETACHMENT FROM THE WOODBRIDGE FIRE PROTECTION DISTRICT.

=====

IN THE MATTER OF THE KETTLEMAN PROPERTIES )	RESOLUTION MAKING
REORGANIZATION (LAFC 10-90) INCLUDING )	DETERMINATIONS AND
ANNEXATION TO THE CITY OF LODI, AND )	ORDERING REORGANIZATION
DETACHMENT FROM THE WOODBRIDGE RURAL )	WITHOUT ELECTION
FIRE PROTECTION DISTRICT )	

Section 1. RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LODI that it  
determines :

- a) Preliminary proceedings for the annexation of certain described non-contiguous, City-owned territory to the City of Lodi were initiated by petition of property owners to the Local Agency Formation Commission of San Joaquin County, and on March 15, 1990, the Executive Officer certified the application filed for processing in accordance with the Local Government Reorganization Act.
- b) Thereafter, appropriate proceedings were conducted by said Local Agency Formation Commission and said Commission on May 25, 1990 adopted Resolution 784 approving the proposed annexation, subject to certain conditions.
- c) Resolution No. 784 of the Local Agency Formation Commission approving the proposed annexation also authorized the City of Lodi to take proceedings for annexation as the designated conducting agency in accordance with Section 57002(c) of the Government Code.

Section 2. BE IT FURTHER RESOLVED, BY THE CITY COUNCIL OF THE CITY  
OF LODI:

- a) That the proposal for annexation is ORDERED in accordance with Section 57002(b) of the Government Code of the State of California.

1. Kettleman Properties (non-contiguous) Annexation to the City of Lodi.
2. A description of said territory *is* attached hereto and made a part hereof, as though set out in full.

Dated: July 11, 1990

=====

I hereby certify that Resolution No. 90-106 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 11, 1990 by the following vote:

Ayes : Council Members - Olson, Pinkerton, **Reid** and Snider  
(Mayor)

Noes : Council Members - None

Absent: Council Members - Hinchman

  
Alice M. Reinche  
City Clerk

May 15, 1990

KETTLEMAN PROPERTIES ANNEXATION

TO THE CITY OF LODI

SAN JOAQUIN COUNTY, CALIFORNIA

A portion of Sections 7 and 18, Township 3 North, Range 7 East, Mount Diablo Base and Meridian, more particularly described as follows:

Beginning at the south quarter corner of said Section 7, said corner being in the center line of 50 foot wide Kettleman Lane; thence southerly along the north-south quarter section line through said Section 18, a distance of 25.00 feet to the south line of said Kettleman Lane; thence along said south line, North  $87^{\circ}39'51''$  West, 1131.08 feet to intersection with the east line of Beckman Road, said intersection being on the Lodi City Limits line; thence along said City Limits line, North  $1^{\circ}48'40''$  East, 56.73 feet to the intersection of the north line of said Kettleman Lane with the east line of Beckman Road; thence along the east line of Beckman Road and said City Limits line the following eight (8) courses: (1) North  $37^{\circ}38'40''$  West, 36.40 feet, (2) North  $0^{\circ}27'30''$  West, 49.67 feet, (3) northerly along a curve to the left having a radius of 328 feet, a central angle of  $35^{\circ}27'30''$  and an arc length of 202.99 feet, (4) North  $35^{\circ}55'$  West, 51.28 feet, (5) northerly along a curve to the right having a radius of 272 feet, a central angle of  $40^{\circ}20'$  and an arc length of 191.47 feet, (6) North  $4^{\circ}25'$  East, 297.02 feet, (7) northerly along a curve to the left having a radius of 528 feet, a central angle of  $5^{\circ}15'42''$  and an arc length of 48.49 feet, and (8) North  $0^{\circ}50'42''$  West 1142.48 feet to the south line of the north-half of the north-half of the southwest quarter of said Section 7; thence leaving the east line of Beckman Road and continuing along said City Limits line the following three (3) courses: (1) South  $87^{\circ}41'40''$  East, 617.81 feet, (2) South  $01^{\circ}03'17''$  East, 350.0 feet, and (3) South  $87^{\circ}41'40''$  East, 633.08 feet to the east line of the southwest-quarter of said Section 7; thence leaving said City Limit line, South  $01^{\circ}03'17''$  East along said east line of southwest quarter, 1655.07 feet to the point of beginning.

Containing 52.7 acres, more or less.

RECOMMENDED APPROVAL AS TO DESCRIPTION BY:

*Robert Dehmanek*

County Deputy County Surveyor

APPROVED BY:

*Denny M. Murata*  
County Surveyor

I 0E242SJ1



~~MEMORANDUM~~  
MEMORANDUM OF UNDERSTANDING

PUBLIC IMPROVEMENT FEES

THIS MEMORANDUM OF UNDERSTANDING is entered into this 29th  
day of JUNE, 1990, by and between DARYL GEWEKE,  
hereinafter referred to as "OWNER", and the CITY OF LODI, a municipal  
corporation, hereinafter referred to as "CITY".

W I T N E S S E T H :

WHEREAS, OWNER is in the process of development of certain real  
property described as:

**Portions of Sections 7 and 18, Township 3 North, Range 7 East,  
Mount Diablo Base and Meridian, San Joaquin County, being more  
particularly described as follows:**

Commencing at the center of said Section 7, thence along the  
East line of the Southwest quarter of said Section 7, South 01°  
03' 17" East, 1018.36 feet to the True Point of Beginning;  
thence continue South 01° 03' 17" East, 1655.07 feet to the  
quarter section corner, thence South 25.0 feet to the South line  
of Kettleman Lane; thence along said South line North 87° 39'  
51" West, 1131.08 feet; thence North 1° 48' 40" East, 56.73  
feet; thence along the East line of Beckman Road North 37° 38'  
40" West, 36.40 feet; thence North 0° 27' 30" West, 49.67 feet;  
thence along a curve to the left having a radius of 328 feet, a  
central angle of 35° 27' 30" and an arc length of 202.99 feet;  
thence North 35° 55' West, 51.28 feet; thence along a curve to  
the right having a radius of 272 feet, a central angle of 40°  
20' and an arc length of 191.47 feet; thence North 4° 25' East,  
297.02 feet; thence along a curve to the left having a radius of  
528 feet, a central angle of 5° 15' 42" and an arc length of  
48.49 feet; thence North 0° 50' 42" West 1142.48 feet to the  
South line of the City of Lodi property; thence leaving said  
East line run along the South line of the City of Lodi property  
and the City limits South 87° 41' 40" East, 617.81 feet; thence  
leaving the City limits line run South 01° 03' 17" East, 350.0  
feet; thence South 87° 41' 40" East, 63.08 feet to the True  
Point of beginning and containing 52.7 acres more or less.

(Assessor Parcel Numbers 049-070-26-1) hereinafter "the  
project"; and  
049-070-28-1  
049-070-29-1

WHEREAS, the parcel of land upon which the project is proposed is now in the process of being annexed to the City of Lodi; and

WHEREAS, certain deficiencies in the City's wastewater system have been identified by CITY as well as other infrastructure needs, including but not limited to water well and mains, storm drains, parks and other municipal buildings and facilities; and

WHEREAS, CITY is in the process of adopting an improvement fee ordinance for CITY facilities described above, which are needed to properly serve projects in the CITY; and

WHEREAS, OWNER has agreed and is desirous of paying its fair share of such improvement fees, but wishes to continue forward on the project while the improvement fee ordinance is pending;

NOW, THEREFORE, in consideration and furtherance of these premises, OWNER and CITY agree as follows:

1. OWNER, for itself and/or its successors or assigns, agrees to pay the improvement fees as established by CITY's improvement ordinance which may be due by reason of the project,

2. OWNER specifically acknowledges that the purpose of this Memorandum of understanding is to allow the processing of OWNER's application for the project to continue, but that no connection to the CITY's wastewater system will be sought by OWNER until capacity for such connection exists, as determined by the Director of Public Works.

3. CITY shall continue processing OWNER's application, utilizing this Memorandum of Understanding as the mitigation measure for any identified adverse impacts on CITY service system or

infrastructure caused by the project.

4. This Memorandum of Understanding shall be referenced in any discretionary approval issued by CITY in furtherance of the project.

5. OWNER and CITY agree that this Memorandum of Understanding shall be of no further force or effect should the Lodi City Council or Lodi Planning commission fail or refuse to approve any discretionary approval necessary for construction of the project.

6. This Memorandum of Understanding shall enure to the benefit of and be binding upon OWNER's successors and assigns. It may be recorded and shall run with the land.

7. OWNER acknowledges that this Agreement shall in no way purport to bind the discretionary authority of the Lodi City Council or Lodi Planning Commission for any discretionary approval required for the project.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date set forth above.

OWNER:

\_\_\_\_\_

CITY:

CITY OF LODI, a municipal corporation

By

\_\_\_\_\_  
THOMAS A. PETERSON  
City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
B. W. MCNATT  
City Attorney

A:CITYMOU



CITY COUNCIL

JOHN R. (Randy) SNIDER, Mayor  
DAVID M. HINCHMAN  
Mayor Pro Tempore  
EVELYN M. OLSON  
JAMES W. PINKERTON, Jr.  
FRED M. REID

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
CALL BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-5634  
TELECOPIER (209) 333-6795

F/u

THOMAS A. PETERSON  
City Manager  
ALICE M. REIMCHE  
City Clerk  
BOB McNATT  
City Attorney

July 20, 1990

Mr. Gerald F. Scott  
Executive Officer  
Local Agency Formation Commission  
County Courthouse, Room 153  
222 East Weber Avenue  
Stockton, CA 95202

Re: Kettleman Properties (LAFCO 10-90) Including Annexation to the  
City of Lodi and Detachment from the Woodbridge Rural Fire  
Protection District

Dear Mr. Scott:

Pursuant to the Commission's Resolution No. 784, the Lodi City Council, in action taken at its July 11, 1990 Regular Council Meeting, adopted Resolution No. 90-106 ordering the Kettleman Properties Reorganization, (LAFCO 10-90) following notice and hearing, including annexation to the City of Lodi and detachment from the Woodbridge Rural Fire Protection District.

The City of Lodi issued and filed herewith, pursuant to your June 11, 1990 letter, a check in the amount of \$250.00 payable to the State Board of Equalization covering the filing fee.

Also, enclosed herewith please find six certified copies of the heretofore mentioned Resolution No. 90-106.

Should you have any questions, please do not hesitate to call this office.

Very truly yours,

  
Alice M. Reimche  
City Clerk

AMR/jmp

Enclosures